

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

BADER FARMS, INC.)	
)	
Plaintiff,)	
v.)	MDL No. 1:18-md-02820-SNLJ
)	
MONSANTO COMPANY and)	Indiv. Case No. 1:16-cv-00299-
BASF CORPORATION,)	SNLJ
)	
Defendants.)	
)	

NOTICE OF TESTIMONY PRESENTED AT TRIAL BY VIDEO DEPOSITION

COMES NOW Defendant Monsanto Company (“Monsanto”) and submits page and line designations and corresponding transcripts of the testimony of witnesses which was introduced into evidence at trial by video deposition.

Notices of the video deposition testimony played at trial have previously been filed in this matter (*see, e.g.*, ECF 422, 443-46), but all such notices were filed under seal because they attached as exhibits the entirety of the witnesses’ deposition testimony, including the portions not played at trial and that may have contained confidential information. As a result, there is presently no pleading in the public record containing the testimony of witnesses which was presented by video deposition in open court during trial. Therefore, Defendant Monsanto files this pleading to provide a public record of the testimony introduced into evidence at trial by video deposition. Counsel for Monsanto has consulted counsel for Plaintiff and BASF, and both parties have indicated that they have no objection to this filing.

The attached exhibits provide the page and line designations of the testimony of the following witnesses that was played at trial, as well as transcripts of the corresponding deposition testimony:

- Exhibit A: Kim Magin (played January 28, 2020)
- Exhibit B: Dr. Tina Bhakta (played January 30-31, 2020)
- Exhibit C: Dr. Ty Witten (played January 31, 2020)
- Exhibit D: Greg Starling (played January 31, 2020)
- Exhibit E: Jeff Travers (played January 31, 2020)
- Exhibit F: Thomas Orr (played January 31, 2020 and February 3, 2020)
- Exhibit G: Gary Schmitz (played February 3, 2020)
- Exhibit H: Dr. Jeffrey Birk (played February 4, 2020)
- Exhibit I: Nathan Borgmeyer (played February 4, 2020)
- Exhibit J: Ronald Repage (played February 4, 2020)
- Exhibit K: Dr. Ricky Chamblee (played February 7, 2020)
- Exhibit L: Scott Kay (played February 11, 2020)
- Exhibit M: Jeffrey Birk (played February 12, 2020)

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 8th day of March, 2021, the foregoing was filed electronically via the ECF/CM system with the Clerk of Court which will serve Notice of Electronic Filing upon all counsel of record via electronic mail.

/s/ A. Elizabeth Blackwell